

RECEIVED  
CENTRAL FAX CENTER

JUN 04 2009

**EDWARD J. LYNCH**  
Patent Attorney  
One Embarcadero Center  
Suite 562  
San Francisco, CA 94111

Direct Dial: 415.646.8028  
Fax: 415.646.8035  
E-mail: [elynch@m-diplaw.com](mailto:elynch@m-diplaw.com)

## FACSIMILE

To:	Examiner Fangemonique A. Smith
Company:	Mail Stop Amendment
Fax:	571 273-8300
Confirmation Telephone:	
From:	Ruth Der, Paralegal
Telephone:	415 646 8029
Fax:	415 646 8035
Date:	June 4, 2009
Re:	Serial No. 10/642,406; Atty. Docket No. SENOP-03700
Pages: (including coversheet)	24
Message:	Attached are <i>Transmittal; Request For Reconsideration And Response To Notice Of Non-Compliant Amendment; copy of Notice Of Non-Compliant Amendment mailed 05/28/2009; copy of Amendment And Response To Office Action Mailed 12/10/2008</i> (12 pages) as filed 02/24/2009; copy of <i>Transmittal</i> (1 page) as filed 02/24/2009; copy of <i>Patent Office Auto-Reply Facsimile Transmission</i> of 2/24/2009 (1 page); and last 3 pages of <i>Amendment And Response To Office Action Mailed 12/10/2008 (REMARKS)</i> as retrieved from PAIRS.

**Please confirm receipt of this facsimile.**

NOTE: Original will not follow.

### CONFIDENTIALITY NOTICE

THIS FACSIMILE TRANSMISSION IS PRIVILEGED AND CONFIDENTIAL AND IS INTENDED ONLY FOR THE REVIEW OF THE PARTY TO WHOM IT IS ADDRESSED. IF YOU HAVE RECEIVED THIS TRANSMISSION IN ERROR, PLEASE IMMEDIATELY TELEPHONE THE SENDER ABOVE TO ARRANGE FOR ITS RETURN, AND IT SHALL NOT CONSTITUTE WAIVER OF THE ATTORNEY-CLIENT PRIVILEGE.

If there is a problem with this transmission, please call us as soon as possible at 415 646 8029.

JUN 04 2009

## PATENT

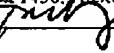
## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of ) Examiner: Fangemonique A. Smith  
 Quick et al. ) Group Art Unit: 3736  
 For: BIOPSY DEVICE WITH INNER CUTTING ) Customer No.: 061808  
 MEMBER )  
 Serial No.: 10/642,406 )  
 Filed: August 15, 2003 )  
 Atty. Docket No.: SENOP-03700 )

## TRANSMITTAL

## CERTIFICATE OF TRANSMISSION PURSUANT TO 37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile (571) 273-8300 addressed to Attn: Examiner Fangemonique A. Smith, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 4, 2009, in San Francisco, CA.

By: 

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Dear Sir:

## 1. Transmitted herewith for filing in the above-identified patent application are

Request For Reconsideration And Response To Notice Of Non-Compliant Amendment; including

Copy of Notice Of Non-Compliant Amendment (37 CFR 1.121) mailed 05/28/2009;

Copy of complete Amendment And Response To Office Action Mailed 12/10/2008 as filed 02/24/2009 (12 pages); including

Copy of Transmittal (1 page) as filed 02/24/2009;

Copy of Fax Coversheet (1 page) as filed 02/24/2009;

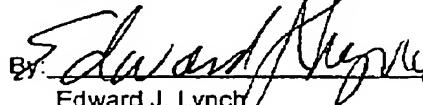
Copy of Patent Office Auto-Reply Facsimile Transmission of 2/24/2009 6:51:14 PM (EST); and

Last 3 pages of Amendment And Response To Office Action Mailed 12/10/2008 (REMARKS) as retrieved from PAIRS.

## 2. Fees due

Applicants believe that there is no fee due. The Commissioner is authorized to charge the fees, the deficiency in payment and/or to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No. 50-4358, referencing Atty. Docket No. SENOP-03700.

Respectfully submitted,

By: 

Edward J. Lynch  
 Registration No. 24,422  
 Attorney for Applicants

EDWARD J. LYNCH  
 Patent Attorney  
 One Embarcadero Center  
 Suite 562  
 San Francisco, CA 94111  
 Tel: (415) 646-8028  
 Fax: (415) 646-8035